

REMARKS

The Office Action dated May 12, 2008, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 15-17, 39, and 40 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claims 1, 2, 4-6, 8-21, 23, and 33-49 are respectfully submitted for consideration.

Claims 16, 17, 39, and 40 were rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Office Action asserted that claims 16, 17, 39, and 40 recite the limitation “a charging identifier” in the claims, but there is no antecedent basis for this limitation in the claim. This rejection appears to be in error. Probably the Office Action meant to assert that it is not necessary to re-introduce the charging identifier as “a charging identifier” because there is already antecedent support for this term. The claims have been amended to overcome the rejection. Claim 16 depends upon claim 14. Claim 14 is dependent upon claim 11. Claim 11 depends on claim 1, and claim 2 is dependent on claim 1. Amended claim 1 clearly recites, in part, “communicating a charging identifier from a node...”

Therefore, it is respectfully requested that the rejection of claims 16, 17, 39, and 40 be withdrawn.

Claims 1 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0022233 of Gemmer in view of U.S. Patent Application Publication No. 2002/0191597 of Lundstrom and further in view of U.S. Patent Application Publication No. 2002/0102970 of Moon (Moon). The Office Action asserted that Gemmer, Lundstrom, and Moon describe all of the features of claims 1 and 20. This rejection is respectfully traversed as follows.

Applicants respectfully submit that Gemmer is not prior art because the PCT application of Gemmer was not published in English. Thus, Gemmer does not qualify under 35 U.S.C. 102 and 35 U.S.C. 103. Therefore, this rejection is rendered moot. It is respectfully requested that the rejection of claims 1 and 20 be withdrawn.

Even if either Gemmer or Lundstrom were applied under this rejection, there is no teaching or suggestion in the cited references of the idea of configuring, for example, a P-CSCF node such that it forwards a charging identifier to, for example, a S-CSCF node in response to receiving an active session message sent by the user equipment. Paragraph [0045] of Lundstrom refers to forwarding a GPRS charging identifier from a P-CSCF node to a S-CSCF node, but Lundstrom does not mention how or when this is done.

Even if Moon discloses resuming a session with a message indicating active session (not admitted), it does not follow that it would have been obvious to have configured the system of Lundstrom such that the forwarding of the charging identifier from the P-CSCF to S-CSCF mentioned in Lundstrom is done together with the forwarding of a message indicating active session from the user equipment. Paragraph

[0013] of the present application's specification describes that how it was conventional practice to forward the charging identifier from a P-CSCF to a S-CSCF in a SIP "UPDATE" message.

The Office Action has not indicated how Moon or any of the other cited references provides motivation to the skilled person to deviate from this conventional practice and instead configure the system of Lundstrom for forwarding the charging identifier to the S-CSCF with a message indicating active session.

In view of the above, the cited references fails to disclose or suggest, at least, "resuming said session with a message indicating active session from said user equipment by which said charging identifier for the first access network is forwarded from said first node of the second network to a second node of the second network, wherein the first access network is different from the second network," as recited in claim 1. Thus, it is respectfully requested that the rejection of claim 1 be withdrawn.

Claim 20 is dependent upon claim 1. Thus, claim 20 should be allowed at least for its dependency upon claim 1, and for the specific limitations recited therein.

Claims 2, 4-6, and 8-19 were rejected under 103(a) as being unpatentable over Gemmer in view of Lundstrom and Moon and further in view of Applicant's Admitted Prior Art (AAPA). The Office Action asserted that the AAPA is disclosed in paragraph [0002] to [0015] of the present application. The Office Action asserted that Gemmer, Lundstrom, Moon and AAPA describe all of the features of claims 2, 4-6, and 8-19. This rejection is respectfully traversed.

AAPA generally describes the background of the present invention. However, there is no teaching or suggestion in AAPA of resuming said session with a message indicating active session from said user equipment by which said charging identifier for the first access network is forwarded from said first node of the second network to a second node of the second network, wherein the first access network is different from the second network. As discussed above, none of Gemmer, Lundstrom, and Moon discloses this limitation.

Therefore, the combination of Gemmer, Lunstrom, Moon, and AAPA does not disclose or suggest all of the features of claim 1.

Claims 2, 4-6, and 8-19 are dependent upon claim 1. As such, claims 2, 4-6, and 8-19 should be allowed at least for their dependence upon claim 1, and for the specific limitations recited therein.

Claims 34-40 and 42-48 were rejected under 103(a) as being unpatentable over Gemmer in view of Lundstrom and Moon and further in view of Applicant's Admitted Prior Art (AAPA). The Office Action asserted that the AAPA is disclosed in paragraph [0002] to [0015] of the present application. The Office Action asserted that Gemmer, Moon, and AAPA describe all of the features of claims 34-40 and 42-48. This rejection is respectfully traversed.

As discussed above, AAPA does not disclose or suggest, at least, "in response to receiving at said first node of said second network from said use equipment a message from said user equipment indicating active session, forwarding said message from said

first node of the second network to a second node of the second access network together with said charging identifier for said first access network, wherein the first access network is different from the second network,” as recited in claims 33 and 41. Thus, AAPA does not cure the deficiencies in Gemmer, Lunstrom, and Moon. As such, the combination of Gemmer, Lunstrom, Moon, and AAPA does not disclose or suggest all of the features of claims 33 and 41. As such, it is respectfully requested that the rejection of claim 33 be withdrawn.

Claims 34-40 and 42-48 are dependent upon claims 33 and 41. Thus, claims 34-40 and 42-48 should be allowed at least for their dependence upon claims 33 and 41, and for the specific limitations recited therein.

For the reasons explained above, it is respectfully submitted that each of claims 1, 2, 4-6, 8-21, 23, and 33-49 recites subject matter that is neither disclosed nor suggested in the cited art. Also, it is respectfully submitted that the subject matter is more than sufficient to render the claimed invention unobvious to a person of ordinary skill in the art. It is, therefore, respectfully requested that all of claims 1, 2, 4-6, 8-21, 23, and 33-49 be allowed, and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosure: Information Disclosure Statement & PTO-1449 (1 Reference)
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